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Customer No. 26308

ATTY DOCKET NO.  
9448.18374

SERIAL NO.  
10/615,417

APPLICANT  
Stinson et al.

FILING DATE  
08 July 2003

GROUP  
3738

### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	5,015,255	14 May 91	Kuslich			
	5,062,845	05 Nov 91	Kuslich et al.			
	5,300,073	05 Apr 94	Ray et al.			
	5,445,639	29 Aug 95	Kuslich et al.			
	5,491,882	20 Feb 96	Walston et al.			
	5,507,823	16 Apr 96	Walston et al.			
	5,571,191	05 Nov 96	Fitz			
	5,577,995	26 Nov 96	Walker et al.			
	5,603,713	18 Feb 97	Aust et al.			
	5,741,261	21 Apr 98	Moskovitz et al.			
	5,879,396	09 Mar 99	Walston et al.			
	RE 36,758	27 Jun 00	Fitz			
	6,132,464	17 Oct 00	Martin			
	6,200,322	13 Mar 01	Branch et al.			
	6,610,091	26 Aug 03	Reiley			

### FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No

### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

2/16/05

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PTO SB-08A (08-03)

Approved for use through 07/31/2006 OMB 0651-0031  
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<b>Substitute for form 1449/PTO</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/615,417
				Filing Date	07/08/2003
				First Named Inventor	Stinson
				Art Unit	3738
				Examiner Name	Not yet assigned
Sheet	1	of	3	Attorney Docket Number	29914.703.201

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-2001/0012938	08/09/2001	Zucherman et al.	
		US-2001/0020170	09/06/2001	Zucherman et al.	
		US-2002/0029039	03/07/2002	Zucherman et al.	
		US-2002/0151895	10/17/2002	Soboleski et al.	
		US-2004/0116927	06/17/2004	Graf	
		US-2004/0127989	07/01/2004	Dooris et al.	
		US-2004/0143264	07/22/2004	McAfee	
		US-RE 36,221	06/01/1999	Breard et al.	
		US-RE 36,758	06/27/2000	Fitz	
		US-5,105,255	05/14/1991	Kuslich	
		US-5,062,845	11/05/1991	Kuslich et al.	
		US-5,092,866	03/03/1992	Breard et al.	
		US-5,258,031	11/02/1993	Salib et al.	
		US-5,300,073	04/05/1994	Ray et al.	
		US-5,415,661	05/16/1995	Holmes	
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		US-5,491,882	02/20/1996	Walston et al.	
		US-5,507,823	04/16/1996	Walston et al.	
		US-5,527,312	06/18/1996	Ray	
		US-5,562,738	10/08/1996	Boyd et al.	
		US-5,571,191	11/05/1996	Fitz	
		US-5,577,995	11/26/1996	Walker et al.	
		US-5,603,713	02/18/1997	Aust et al.	
		US-5,741,261	04/21/1998	Moskovitz et al.	

Examiner Signature		Date Considered	8/16/05
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Attorney Docket No. 29914.703.201

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				First Named Inventor	Stinson
				Art Unit	3738
				Examiner Name	Not yet assigned
Sheet	2	of	3	Attorney Docket Number	29914.703.201

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
M		US-5,836,948	11/17/1998	Zucherman et al.	
		US-5,860,977	01/19/1999	Zucherman et al.	
		US-5,879,396	03/09/1999	Walston et al.	
		US-6,048,342	04/11/2000	Zucherman et al.	
		US-6,068,630	05/30/2000	Zucherman et al.	
		US-6,132,464	10/17/2000	Martin	
		US-6,200,322	03/13/2001	Branch et al.	
		US-6,293,949	09/25/2001	Justis et al.	
		US-6,419,703	07/16/2002	Fallin et al.	
		US-6,565,605	05/20/2003	Goble et al.	
		US-6,579,319	06/17/2003	Goble et al.	
		US-6,610,091	08/26/2003	Reiley	
		US-6,669,729	12/30/2003	Chin	
		US-6,761,720	07/13/2004	Senegas	
		US-6,783,527	08/31/2004	Drewry et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>2</sup> - Number <sup>3</sup> - Kind Code <sup>4</sup> (if known)				

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Sheet	3	of	3	Attorney Docket Number	29914.703.201

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		GUNZBERG, R. et al., "Arthroplasty of the Spine". Berlin; New York; Springer, 2004.	
		GUYER R. et al., "Impliant: Motion Preservation through Total Posterior-Element Replacement". (May 7, 2004) Presentation held at Hofburg Center, Vienna, Austria.	
		SACHER, R. Brochure for presentation at MedTech Insight Conference (October 31, 2003) Boston, MA.	

Examiner signature		Date Considered	8/16/05
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/615,417
Filing Date	07/08/2003
First Named Inventor	Stinson et al.
Art Unit	3732
Examiner Name	Shaver
Attorney Docket Number	29914.703.201

Sheet 1 of 4

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-2004/0059429	03/25/2004	Amin et al.	
		US-3,867,728	02/25/1975	Stubstad et al.	
		US-3,875,595	04/08/1975	Froning	
		US-4,349,921	09/21/1982	Kuntz	
		US-4,759,769	07/26/1988	Hedman et al.	
		US-4,772,287	09/20/1988	Ray et al.	
		US-4,863,477	09/05/1989	Monson	
		US-4,904,260	02/27/1990	Ray et al.	
		US-4,911,718	03/27/1990	Lee et al.	
		US-5,047,055	09/10/1991	Bao et al.	
		US-5,071,437	12/10/1991	Steffee	
		US-5,147,404	09/15/1992	Downey	
		US-5,171,280	12/15/1992	Baumgartner	
		US-5,192,326	03/09/1993	Bao et al.	
		US-5,306,308	04/26/1994	Gross et al.	
		US-5,306,309	04/26/1994	Wagner et al.	
		US-5,370,697	12/06/1994	Baumgartner	
		US-5,401,269	03/28/1995	Buttner-Janz et al.	
		US-5,437,672	08/01/1995	Alleyne	
		US-5,458,642	10/17/1995	Beer et al.	
		US-5,458,643	10/17/1995	Oka et al.	

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A2		US-5,514,180	05/07/1996	Heggeness et al.	
		US-5,534,028	07/09/1996	Bao et al.	
		US-5,534,030	07/09/1996	Navarro et al.	
		US-5,545,229	08/13/1996	Parsons et al.	
		US-5,556,431	09/17/1996	Buttner-Janz	
		US-5,571,189	11/05/1996	Kuslich	
		US-5,645,597	07/08/1997	Krapiva	
		US-5,653,762	08/05/1997	Pisharodi	
		US-5,674,295	10/07/1997	Ray et al.	
		US-5,674,296	10/07/1997	Bryan et al.	
		US-5,676,701	10/14/1997	Yuan et al.	
		US-5,683,464	11/04/1997	Vagner et al.	
		US-5,702,450	12/30/1997	Bisseric	
		US-5,716,415	02/10/1998	Steffee	
		US-5,824,093	10/20/1998	Ray et al.	
		US-5,824,094	10/20/1998	Serhan et al.	
		US-5,865,846	02/02/1999	Bryan et al.	
		US-5,868,745	02/09/1999	Alleyne	
		US-5,893,889	04/13/1999	Harrington	
		US-6,001,130	12/14/1999	Bryan et al.	
		US-6,014,588	01/11/2000	Fitz	
		US-6,019,792	02/01/2000	Cauthen	
		US-6,039,763	03/21/2000	Shelokov	
		US-6,063,121	05/16/2000	Xavier et al.	
		US-6,066,325	05/23/2000	Wallace et al.	
		US-6,080,157	06/27/2000	Cathro et al.	
		US-6,113,637	09/05/2000	Gill et al.	
		US-6,132,465	10/17/2000	Ray et al.	
		US-6,669,729	12/30/2003	Chin	

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W		DE 10135771 A1	02/20/2003	Aesculap AG & Co.		X
		IE S970323	06/03/1998	Eskina Developments Limited		
		JP 10179622 A2	07/07/1998	Mizuho Ika Kogyo KK		X
		WO 95/05783 A1	03/02/1995	Fairant, Paulette		X
		WO 98/48717 A1	11/05/1998	Taylor, Jean		X
		WO 98/56301 A1	12/17/1998	Kyphon Inc.		
		WO 99/05995 A1	02/11/1999	Gordon, Maya, Roberts & Thomas Number 1 LLC		
		WO 99/23963 A1	05/20/1999	Dimso		X
		WO 99/60957 A1	12/02/1999	Nuvasive, Inc.		
		WO 99/65412 A1	12/23/1999	Pioneer Laboratories, Inc.		
		WO 00/38582 A1	07/06/2000	Nuvasive, Inc.		
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		WO 01/30248 A1	05/03/2001	Reiley, Mark A.		
		WO 01/97721 A2	12/27/2001	Kyphon Inc.		
		WO 02/089712 A1	11/14/2002	Gerber, David et al.		
		WO 03/020143 A1	03/13/2003	Synthes		
		WO 03/101350 A1	12/11/2003	Archus Orthopedics Inc.		
		WO 2004/071358 A1	08/26/2004	Archus Orthopedics Inc.		

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Sheet	4	of	4	Attorney Docket Number	29914.703.201

NON PATENT LITERATURE DOCUMENTS			
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		GOH, JC et al., "Influence of PLIF cage size on lumbar spine stability", <i>Spine</i> , (January 2000), 25(1) Medline abstract (one page).	
		HEAD, WC, "Wagner surface replacement arthroplasty of the hip. Analysis of fourteen failures in forty-one hips", <i>J Bone Joint Surg. Am.</i> , (March 1981) 63(3), Medline abstract (one page).	
		KHOO, LT et al., "A biomechanical analysis of the effects of lumbar fusion on the adjacent vertebral motion segment", Proceedings of the 2000 Annual Meeting of the North American Spine Society, New Orleans.	
		KOTANI, Y. et al., "The effects of spinal fixation and destabilization on the biomechanical and histologic properties of spinal ligaments. An in vivo study.", <i>Spine</i> , (March 15, 1998) 23(6), Medline abstract (2 pages).	
		LEMAIRE, JP et al., "Intervertebral disc prosthesis: results and prospects for the year 2000", <i>Clinical Orthopaedics and Related Research</i> , No. 337, pp. 64-76.	
		NAGATA, H. et al., "The effects of immobilization of long segments of the spine on the adjacent and distal facet force and lumbosacral motion", <i>Spine</i> , (December 1993), 18(16):2471-2479, (9 pages).	
		NIBU, K. et al., "Multidirectional stabilizing potential of BAK interbody spinal fusion system for anterior surgery [see comments]", <i>J Spinal Discord</i> , (August 1997), 10(4), Medline abstract (one page).	
		TSANTRIZOS, A. et al., "Segmental stability and compressive strength of posterior lumbar interbody fusion implants", <i>Spine</i> , (August 1, 2000) 25(15), Medline abstract (one page).	

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